

CITY OF HOLLISTER CITY COUNCIL

Minutes of Regular Meeting

September 19, 2005

CALL TO ORDER:

The regular meeting of the City Council of the City of Hollister was called to order by Mayor Valdivia on September 19, 2005, at 6:00 p.m. in the City Council Chambers at City Hall.

ROLL CALL: Roll was answered as follows:

PRESENT: Mayor Pauline Valdivia, City Council Members Brad Pike, Doug Emerson, Robert Scattini, and Monica Johnson, City Manager Clint Quilter, Acting City Attorney George Thatcher, and City Clerk Geri Johnson.

ABSENT: City Attorney Elaine Cass.

VERIFICATION OF AGENDA POSTING:

The Agenda for the City Council of the City of Hollister meeting of September 19, 2005, was posted on the bulletin board at City Hall on September 15, 2005, at 4:15 p.m. per Government Code Section 54954.2.

CLOSED SESSION AGENDA:

A. Public comment for Closed Session agenda.

None.

B. Mayor Valdivia announced that the City Council of the City of Hollister would meet in Closed Session to discuss all or some of the following matters:

1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential

cases will be discussed)

2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed)
3. Conference with Legal Counsel - Pending Litigation - pursuant to Government Code Section 54956.9(a)
 - a. RWQCB - Cease and Desist Order No. R3-2002-0105
 - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
 - c. Nicholson v. Hollister, Case Number CU-04-00063
 - d. Borges et al v. Hollister, Case Number CV030139
4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union - Local 3395; Hollister Peace Officers Association; Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential

Council Member Scattini moved to recess to Closed Session at 6:02 p.m. to discuss the items listed above. Motion seconded by Council Member Emerson and carried by a unanimous vote.

The City Council reconvened at 6:32 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Roll was answered as follows:

PRESENT: Mayor Pauline Valdivia, City Council Members Brad Pike, Doug Emerson, Robert Scattini, and Monica Johnson, City Manager Clint Quilter, Acting City Attorney George Thacher, and City Clerk Geri Johnson

ABSENT: City Attorney Elaine Cass.

STAFF PRESENT: Chief of Police Jeff Miller, Community Services Director Clay Lee, Interim Deputy Public Works Director Steve Wittry, Administrative Services Director Robert Galvan, Airport Manager Bill Gere, and RDA Manager Billy Avera.

VERIFICATION OF AGENDA POSTING:

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CLOSED SESSION:

Acting City Attorney Thacher announced that the City Council of the City of Hollister had received information on the following, and there was nothing to report:

1. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) -

City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916

2. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union, Local 3395; Hollister Peace officers Association; Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.

A. CONSENT RESOLUTION (September 19, 2005):

1. Minutes of Special Meeting of August 29, 2005, and Regular Meeting of September 6, 2005.
 - (a) Approved the Minutes of the Special Meeting of August 29, 2005, and the Regular Meeting of September 6, 2005, as submitted.

2. Warrant Registers.
 - (a) Received transmittals, Warrant Registers, from Administrative Services Director Galvan.
 - (b) Ratified and approved Warrant Registers dated:
September 2, 2005, in the amount of \$187,435.72
September 9, 2005, in the amount of \$319,353.76
3. Resolution No. 2005-135, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR THE FOURTH ANNUAL HOLLISTER VETERANS DAY PARADE.
 - (a) Received transmittal dated August 31, 2005, Resolution Approving the Temporary Closures of various City streets for the Fourth Annual Hollister Veterans Day Parade, from City Clerk Johnson.
 - (b) Adopted Resolution No. Resolution No. 2005-135, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR THE FOURTH ANNUAL HOLLISTER VETERANS DAY PARADE.
4. Resolution No. 2005-135, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING AN AMENDMENT TO A LEASE AGREEMENT WITH MEGAN GUERRA (MAIN STREET BISTRO).
 - (a) Received transmittal dated September 8, 2005, Lease Agreement for Brown Alley, from Interim Development Services Director Avera.
 - (b) Adopted Resolution No. 2005-135, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING AN AMENDMENT TO A LEASE AGREEMENT WITH MEGAN GUERRA (MAIN STREET BISTRO).
5. ABC License Review - Bistro 427, Amended.
 - (a) Received transmittal dated August 29, 2005, ABC License Review - Bistro 427, amended, from City Clerk Johnson.
 - (b) Acknowledged receipt of the ABC License Review for Bistro 427 at 427 San Benito Street and ordered it filed.
6. Resolution No. 2005-137, A RESOLUTION OF THE CITY COUNCIL OF THE

CITY OF HOLLISTER AUTHORIZING THE POLICE DEPARTMENT TO CHARGE A \$25.00 ADMINISTRATION FEE TO PROCESS THE CANCELLATION OF A CITATION FOR FAILURE TO DISPLAY A DISABLED PLACARD.

- (a) Received transmittal dated September 9, 2005, A Resolution of the City Council of the City of Hollister authorizing the Police Department to Charge a \$25 Administration Fee to Process the Cancellation of a Citation for Failure to Display a Disabled Placard, from Chief of Police Miller.
- (b) Adopted Resolution No. 2005-137, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE POLICE DEPARTMENT TO CHARGE A \$25.00 ADMINISTRATION FEE TO PROCESS THE CANCELLATION OF A CITATION FOR FAILURE TO DISPLAY A DISABLED PLACARD.

7. ABC License Review - Kristina's Mexican Restaurant.

- (a) Received transmittal dated September 13, 2005, ABC License Review - Kristina's Mexican Restaurant, from City Clerk Johnson.
- (b) Acknowledged receipt of the ABC License Review for Kristina's Mexican Restaurant at 480 Tres Pinos Road and ordered it filed.

Council Member Pike moved to adopt the Consent Resolution (September 19, 2005) as stated above. Motion seconded by Council Member Emerson and carried by a unanimous vote.

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. Public Input.

- (a) Dolly DeVasier, Hollister, CA is a member of the Ladies Auxiliary of the Veterans of Foreign Wars and would like to see the Veterans Building Commission established for the City. She also requested that the Auxiliary be allowed to conduct a fund raiser in the building at no cost to the Auxiliary. They want to be treated fairly, just like the other Veterans groups that use the building.

C. PUBLIC HEARINGS: (on or about 7:00 P.M.)

- personnel; and she is working on the booth for the fair.
- (g) City Council Member Scattini, District 2 - welcomed the San Benito High School students; thanked City Manager and staff for paving Monterey Street north of Fourth Street; would like an inventory of all City equipment and have an annual review of the inventory; would like a status report on radar from Chief of Police Miller; would like Chief Miller to have the stop signs at the airport monitored as too many people run the stop signs; wants to know how many tickets have been written; and took part in the Mexican Independence Day Parade held Sunday.
 - (h) Mayor Valdivia, District 3 - commented on the Emergency Training meeting; we need to be prepared; people need to know which locations to go to; and asked the City Manager to check on PG&E closing their downtown office - how many people will be un-employed and where will people pay their bills;
3. Water and Wastewater Issues.
- (a) Received oral report from City Manager Quilter.
 - (b) Information only; no City Council action taken.
4. Receive status report on Hollister Municipal Airport.
- (a) Received oral report from Airport Manager Gere.
 - (b) Information only; no City Council action taken.
 - (c) Council Member Pike commented that he has concerns with the safety factor if people are running stop signs at the airport.
 - (d) Council Member Johnson asked how many accidents occurred at the airport, are Gavilan College students involved or is it local traffic.

F. UNFINISHED BUSINESS:

1. Study Session on City and Redevelopment Agency Cal Card Usage.
- (a) Received transmittal dated September 19, 2005, Study Session on City and Redevelopment Agency Cal Card Usage, from Administrative Services Director Galvan.
 - (b) Council Member Johnson moved to accept the Cal Card Policy as presented by Administrative Services Director Galvan. Motion seconded by Council Member Emerson and carried by a unanimous vote.

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G. NEW BUSINESS:

None.

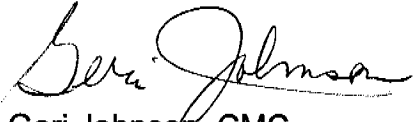
H. MISCELLANEOUS:

None.

ADJOURNMENT:

There being no further business to come before the City Council of the City of Hollister, the regular meeting of September 19, 2005, was adjourned at 8:00 p.m. by motion of Council Member Emerson. Motion seconded by Council Member Johnson and carried by a unanimous vote.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Geri Johnson".

Geri Johnson, CMC
City Clerk